



Lori E. Lightfoot
Mayor

Department of Police • City of Chicago
3510 S. Michigan Avenue • Chicago, Illinois 60653

Eddie T. Johnson
Superintendent of Police

September 25, 2019

Via Email:

Matt Chapman
MuckRock
80596-26091229@requests.muckrock.com

Re: **NOTICE OF RESPONSE TO FOIA REQUEST**
FOIA FILE NO.: P525513

Dear Matt Chapman:

The Chicago Police Department (CPD) is in receipt of your Freedom of Information Act (FOIA) request, received September 18, 2019 for the following:

"Pursuant to the Illinois Freedom of Information Act, I hereby request the following records:

Search warrant data for all warrants in which any sort of failure to pay occurred.

*IR #
Search Warrant #
Type of Warrant
Search Warrant Date
Search Warrant Requested Address
Search Warrant Execution Address
Complaint For Search Warrant Date
Whether Arrest Occurred
Requesting Officer
Approving Watch Commander
District/Unit
Recovery (Y/N)
Arrest (Y/N)
Name of Judge Who Approved*

Emergency and TTY: 9-1-1 • Non Emergency and TTY: (within city limits) 3-1-1 • Non Emergency and TTY: (outside city limits) (312) 746-6000

E-mail: police@cityofchicago.org • Website: www.cityofchicago.org/police

*Time of Judge Approval
Search warrant reason*

Please limit the scope of this request from 2012 to the date of this request's processing."

Your request was reviewed by CPD. Please note that CPD wrote you via email September 18, 2019 advising the following of which CPD did not receive a response:

"Your request was reviewed by the undersigned. "[A] request to inspect or copy must reasonably identify a public record and not general data, information, or statistics" Kenyon v. Garrels, 184 Ill.App.3d 28, 32, 132 Ill.Dec. 595, 540 N.E.2d 11, 13 (1989) (quoting Krohn v. Department of Justice, 628 F.2d 195, 198 (D.C.Cir.1980)). To that extent, a request of "Search warrant data for all warrants in which any sort of failure to pay occurred" is not a valid description for the Chicago Police Department to fulfill your request and therefore there are no responsive records to your request. Please submit a new request with the respective records type and definition of "failure to pay" so that we can properly fulfill it."

It is determined that your request is seeking a highly particularized and specifically tailored record – one that the Chicago Police Department simply does not compile, track, or maintain in the ordinary course of business. Please be advised that FOIA requires the City to provide existing documents, according to section 5 ILCS 140/3(a) (Each public body shall make available all public records, except as otherwise provided in section 7 of this act). FOIA does not require the public body to create new records, conduct research, analyze data, interpret, answer questions or advise requesters as to the meaning or significance of public records. The Court, in *Kenyon v. Garrels*, 184 ILL. App. 3rd 28, 32(4th Dist. 1989), noted that FOIA does not compel the agency to provide answers to questions posed by the inquirer.

FOIA does not require the public body to provide answers to questions or create documents. In *Kenyon v. Garrels*, 184 Ill. App. 3d 28, 32 (4th Dist. 1989), the Illinois Appellate Court noted that FOIA “....is not designed to compel the compilation of data the governmental body does not ordinarily keep.”

If I can be of further assistance, please contact me at the following address:

Chicago Police Department
Attention: Freedom of Information
Office of Legal Affairs, Unit 114
3510 S. Michigan Avenue
Chicago, IL 60653
foia@chicagopolice.org

You have a right of review by the Illinois Attorney General's Public Access Counselor, who can be contacted at 500 S. Second St., Springfield, IL 62706 or by telephone at 877-299-3642. You may also seek judicial review under 5 ILCS 140/11.

Sincerely,

A. Marlan
Freedom of Information Act Officer
Chicago Police Department
Office of Legal Affairs, Unit 114
3510 S. Michigan Ave.
Chicago, IL 60653